

App. Serial No. 10/561,625
Docket No.: NL 021505 US

Remarks

Applicant respectfully traverses the Section 102(b) rejection of claims 1-9 and 11-30 because the cited portions of the Houston reference do not teach power control instructions with an operand having power control information disposed therein as in the claimed invention. For the reasons and arguments set forth below, Applicant respectfully resubmits that the claimed invention is allowable over the cited references.

The Office Action dated April 10, 2007 listed the following rejections: claim 18 stands rejected under 35 U.S.C. § 112(1) and also under 35 U.S.C. § 101; claims 1-9 and 11-30 stand rejected under 35 U.S.C. § 102(b) over Houston (U.S. 6,307,281); and claim 10 stands rejected under 35 U.S.C. § 103(a) over Houston in view of the Official Notice and further in view of Dinechin (U.S. 2003/0177482).

Applicant respectfully traverses the Section 102(b) rejection of claims 1-9 and 11-30 because the cited portions of the Houston reference fail to correspond to all of the claimed limitations. Regarding independent claims 1, 19 and 27, the Examiner does not cite to any portion of the Houston reference that corresponds to claimed limitations directed to a program code having power control instructions with an operand having power control information disposed therein. A word search of the Houston reference fails to find any mention of an "operand" let alone any teaching of an operand that contains power control information as in the claimed invention. Applicant presented these arguments in the Office Action Response dated February 2, 2007, which is hereby incorporated by reference. In response, the Examiner states that "Houston discloses a program code having power control instructions with an operand having power control information disposed therein [col. 3, lines 66-67; col. 4, lines 14-30]." See page 8 of the instant Office Action. However, these portions of the Houston reference do not mention an operand, and do not in any manner correspond to the claimed invention.

Moreover, these newly cited portions of the Houston reference teach that logic component 12 "determines when circuit operation, executable instructions or other system tasks or operations do not require more than infrequent use of specific elements 16" and that logic component 12 then generates selection signals 18 to control the power dissipated by the elements 16. See, e.g., Col. 4:9-31. Thus, these portions of the Houston reference (*i.e.*, Col. 3:66-67 and Col. 4:14-30) appear to teach that the logic component

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12 analyzes the program code to determine when the elements 16 are not used, not that the program code contains power control instructions as asserted by the Examiner. In view of the above, the Section 102(b) rejection of claims 1, 19 and 27 is improper and Applicant requests that it be withdrawn.

The Section 102(b) rejection of dependent claims 2-9 and 11-18 that depend from claim 1, claims 20-26 that depend from claim 19, and claims 28-30 that depend from claim 27, is also improper for the reasons discussed above and Applicant requests that it be withdrawn. Moreover, the cited portions of the Houston reference fail to correspond to several further limitations found in these dependent claims, some of which are discussed below.

Regarding claim 2, the cited portions of the Houston reference (*see, e.g.*, Col. 8:40-49) do not teach or suggest any specific opcode, let alone an opcode that uniquely identifies the power control instruction as claimed. A word search of the Houston reference fails to find any mention of an "opcode" let alone any teaching of an opcode that uniquely identifies the power control instruction as in the claimed invention.

Regarding claim 3, the Examiner cites to various portions of the Houston reference without identifying any specific correspondence for a support register that stores power information for the plurality of hardware resources and that is coupled to enabling logic that controls the power modes of the resources. Applicant submits that the rejection, and/or the Houston reference, is deficient without such citations.

Regarding claim 7, the cited portions of the Houston reference do not teach an enable circuit configured to selectively gate off the clock, address, and data inputs for an associated bank of registers as in the claimed invention. Once again, Applicant submits that the rejection, and/or the Houston reference, is deficient without such citations. *See also* Houston, *e.g.*, Figure 6 and Col. 9:37-54.

Applicant traverses the Section 112(1) rejection of claim 18 because the claim is enabled by Applicant's Specification. For example, Applicant's Specification states that "as is well known in the art, integrated circuits are typically designed and fabricated using one or more computer data files, referred to herein as hardware definition programs, that define the layout of the circuit arrangements on the devices." *See, e.g.*,

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Paragraph 0046. Accordingly, the Section 112(1) rejection of claim 18 is improper and Applicant requests that it be withdrawn.

Applicant traverses the Section 101 rejection of claim 18 because a "signal-bearing medium" is tangible and because it is statutory subject matter. Applicant is claiming a "medium" which is tangible, not transmissions as asserted by the Examiner. *See, e.g.*, page 3 of the instant Office Action. Applicant submits that a "signal-bearing medium" is recognized as statutory subject matter as is evidenced by a search of the USPTO's own database, which includes over 250 issued patents that claim a "signal-bearing medium." *See, e.g.*, U.S. Patent Numbers 7,072,824, 7,027,830 and 6,880,040. Therefore, the Section 101 rejection of claim 18 is improper and Applicant requests that it be withdrawn.

Applicant traverses the Section 103(a) rejection of claim 10 because the cited portions of the Houston reference do not correspond to all of the claimed limitations as discussed above in connection with the Section 102(b) rejection of claim 1. In at least this regard, the rejection of claim 10 is improper because claim 10 depends from claim 1. The corresponding rejection thus relies upon the same (improper) rationale. Accordingly, Applicant requests that the Section 103(a) rejection of claim 10 be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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